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MAILED

JUN 18 2010

OFFICE OF PETITIONS

In re Application of :  
Montanari, et al. : DECISION ON PETITION  
Application No. 10/538,886 :  
Filed: March 24, 2006 :  
Docket No.: 273332US0XPCT :  
:

This is a decision on the petition to withdraw the holding of abandonment under 37 CFR 1.181, filed April 28, 2010.

The Notice of Abandonment mailed March 4, 2010 indicates that the application is abandoned for failure to timely submit a proper reply to the non-final Office action mailed August 27, 2009.

Petitioner asserts that a reply, including three month extension of time, was timely filed March 1, 2010.

The reply (Notice of Appeal), including extension of time, filed March 1, 2010, has been located in the official application file.

In view of the evidence presented, the petition to withdraw the holding of abandonment is hereby GRANTED.

The Notice of Abandonment is hereby VACATED and the holding of abandonment is WITHDRAWN.

**Petitioner is advised that the due date for submission of the appeal brief (and required fee) is TWO MONTHS from the mail date of the instant decision indicated above.**

The application file is being forwarded to Technology Center 1797 for further processing.

Telephone inquiries concerning this matter may be directed to the undersigned at (571) 272-3205.

/ALESIA M. BROWN/

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